

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 645JE(a).

In subsection (a) of this section, the reference to a "sentence" review is added for clarity.

Defined terms: "Person" § 1-101

"Sentencing judge" § 8-101

8-104. FILING OF APPLICATION FOR REVIEW.

(A) EFFECT OF FILING.

THE FILING OF AN APPLICATION FOR SENTENCE REVIEW UNDER THIS TITLE DOES NOT:

(1) STAY THE EXECUTION OF THE SENTENCE;

(2) AFFECT THE TIME ALLOWED TO FILE AN APPEAL OR A MOTION FOR A NEW TRIAL; OR

(3) AFFECT THE POWER OF THE SENTENCING JUDGE TO CHANGE THE SENTENCE TO THE EXTENT ALLOWED BY THE MARYLAND RULES.

(B) STAY AFTER FILING.

AFTER AN APPLICATION IS FILED, THE SENTENCING JUDGE MAY GRANT A STAY OF THE EXECUTION OF THE SENTENCE PENDING A DECISION UNDER THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 645JD.

In subsection (a)(2) of this section, the former reference to an appeal "on the merits of the case" is deleted as implied in the reference to an "appeal".

In subsection (a)(3) of this section, the reference to a "sentencing" judge is substituted for the former reference to a "trial" judge to conform to the terminology used in subsection (b) of this section.

Also in subsection (a)(3) of this section, the reference to the "Maryland Rules" is substituted for the former reference to "rules of the Court of Appeals in force and effect from time to time" for brevity and to conform to the terminology used in current practice.

In subsection (b) of this section, the reference to a stay "of the execution of the sentence" is added for clarity.

Defined term: "Sentencing judge" § 8-101

8-105. REVIEW PANEL.

(A) MEMBERSHIP.

A REVIEW PANEL CONSISTS OF THREE OR MORE CIRCUIT COURT JUDGES OF THE JUDICIAL CIRCUIT IN WHICH THE SENTENCING COURT IS LOCATED.